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10 UNITED STATES DISTRICT COURT
11 NORTHERN DISTRICT OF CALIFORNIA
12 SAN FRANCISCO DIVISION

13
14 UNITED STATES OF AMERICA,
15 Plaintiff,

16 v.

17 AMIR BAKHTIARI A/K/A AMIR
18 GALEHBAKHTIARI,
19 Defendant.

20 FIRST REPUBLIC BANK,
21 Garnishee.
22
23

CASE NOS. CR 18-009-01 WHA
CR 19-127-01 WHA

WRIT OF GARNISHMENT

24 TO: First Republic Bank
25 ATTN: Legal Order Processing
26 111 Pine Street
27 San Francisco, CA 94111
28

1 **YOU ARE HEREBY COMMANDED TO GARNISH FOR THE BENEFIT OF THE**
2 **UNITED STATES OF AMERICA PROPERTY IN YOUR POSSESSION IN WHICH THE**
3 **DEFENDANT-JUDGMENT DEBTOR HAS A SUBSTANTIAL NONEXEMPT INTEREST.**

4 The name, last known address, and last four digits of the social security number of the person
5 who is the defendant-judgment debtor (“defendant”) in this action and whose property is subject to this
6 Writ are as follows:

7 Amir Bakhtiari a/k/a Amir Galehbakhtiari
8 Northlake Correctional Facility
9 1805 West 32nd St., Baldwin, MI 49304
 Social Security Number (last four digits): XXX-XX-6742

10 This Writ has been issued pursuant to a stipulation between the United States of America and
11 Amir Bakhtiari a/k/a Amir Galehbakhtiari, to enforce the collection of a criminal judgment entered in
12 favor of the United States against the defendant for a debt in the original amount of \$8,062,750.00. As
13 of June 12, 2020, the total balance due on the judgment debt, including accrued interest, was
14 \$7,552,481.51.

15 The following are the steps that you must take to comply with this Writ. If you have any
16 questions, you should consult with your attorney.

17 1. Pursuant to 28 U.S.C. § 3205(c)(2)(F), if you have in your custody, control, or possession
18 any property of the defendant in which the defendant has a substantial nonexempt interest, or if you
19 obtain custody, control, or possession of such property while this Writ is in effect, you must
20 immediately withhold such property from the defendant and retain it in your possession until you
21 receive instructions from the Court which will tell you what to do with the property. Such property
22 would include, but not be limited to, accounts in the name of Amir Bakhtiari a/k/a Amir Galehbakhtiari
23 ending in XXXX5199.

24 2. Pursuant to 28 U.S.C. § 3205(c)(2)(E), you are required to answer this Writ within **10**
25 **days** after service of this Writ upon you. You must answer the Writ even if you do not have in your
26 custody, control, or possession, any property of the defendant. Pursuant to 28 U.S.C. § 3205(c)(4), your
27 answer must state, under oath, the following information:
28

- a. Whether or not you have in your custody, control, or possession, any property owned by the defendant in which the defendant has a substantial nonexempt interest, including nonexempt disposable earnings;
- b. a description of such property and the value of such property;
- c. a description of any previous garnishments to which such property is subject and the extent to which any remaining property is not exempt; and
- d. the amount of the debt you anticipate owing to the defendant in the future and whether the period for payment will be weekly or another specified period.

For your convenience, a form which addresses the above-requested information is attached and may be used to answer the Writ.

3. After you complete the answer under oath, pursuant to 28 U.S.C. § 3205(c)(2)(E) and (c)(4), within ten (10) days after service of this Writ upon you, you must **mail or deliver** the original answer bearing the original signature of the person preparing the answer to the Court at the following address:

Office of the Clerk
United States District Court
450 Golden Gate Ave., Box 36060
San Francisco, CA 94102

At the same time you mail or deliver the original answer to the Court, you must also **mail or deliver** a copy of the original answer to both the defendant and attorney for the United States at the following respective addresses:

Martha Boersch, Esq.
Boersch & Illovsy LLP
1611 Telegraph Ave., Ste. 806
Oakland, CA 94612

Julie C. Reagin, Assistant U.S. Attorney
United States Attorney's Office
450 Golden Gate Avenue, 9th Floor
P.O. Box 36055
San Francisco, CA 94102

1 Please note that the attached form answer contains a certificate of service which needs to be
2 completed by the person mailing the copies of the answer to the defendant and the attorney for the
3 United States, and which needs to be filed with the Court along with the answer.

4 **IF YOU FAIL TO ANSWER THIS WRIT OR FAIL TO WITHHOLD PROPERTY IN**
5 **ACCORDANCE WITH THIS WRIT, THE UNITED STATES MAY PETITION THE COURT**
6 **FOR AN ORDER REQUIRING YOU TO APPEAR BEFORE THE COURT TO ANSWER THE**
7 **WRIT AND TO WITHHOLD PROPERTY IN ACCORDANCE WITH THE WRIT BEFORE**
8 **THE APPEARANCE DATE. IF YOU FAIL TO APPEAR OR DO APPEAR AND FAIL TO**
9 **SHOW GOOD CAUSE WHY YOU FAILED TO COMPLY WITH THIS WRIT, THE COURT**
10 **WILL ENTER A JUDGMENT AGAINST YOU FOR THE VALUE OF THE DEFENDANT'S**
11 **NONEXEMPT INTEREST IN SUCH PROPERTY (INCLUDING NONEXEMPT DISPOSABLE**
12 **EARNINGS). THE COURT MAY ALSO AWARD A REASONABLE ATTORNEY'S FEE TO**
13 **THE UNITED STATES AND AGAINST YOU IF THE WRIT IS NOT ANSWERED WITHIN**
14 **THE TIME SPECIFIED HEREIN AND IF THE UNITED STATES FILES A PETITION**
15 **REQUIRING YOU TO APPEAR.**

16 SUSAN Y. SOONG,
17 Clerk of the Court
18 United States District Court for the
19 Northern District of California

20 Dated: July 2, 2020



21 Deputy Clerk

22 W. Noble